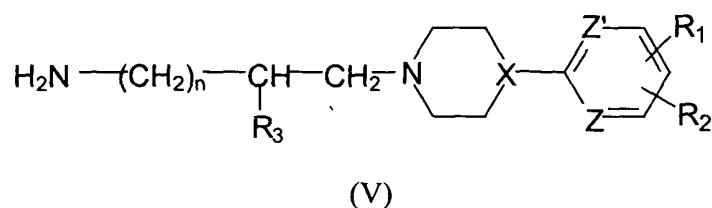
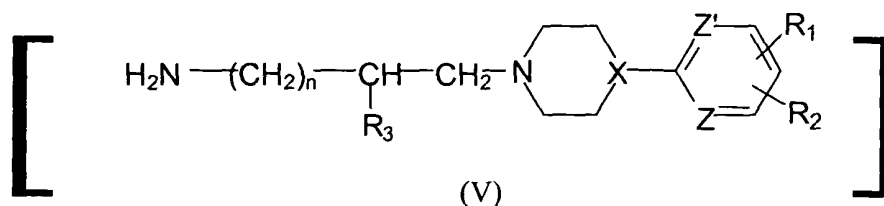


with a compound having the structure of Formula V[.]in pyridine at reflux temperature followed by reflux in the presence of acetic anhydride



thereby to produce the compound of Formula II.

#### Remarks

##### Rejection of Claims 44 and 45 Under §112

The Applicants have mooted the rejection by deleting the newly added proviso in claims 44 and 45.

Contrary to the Examiner's contention, the phrase "pyridine at reflux temperature followed by reflux in the presence of acetic anhydride" finds support in the example of the application as filed on page 16, at lines 6-7, Scheme-II.

Conclusion

In view of the foregoing, Applicants believe that the present application is now in condition for allowance and respectfully request consideration thereof. A clean copy of claims as amended is submitted herewith, and authorization is hereby given to charge any fees deemed to be due in connection with this Response to Office Action to Deposit Account No. 50-0912.

Respectfully submitted,

ANAND *et al.*

By: 

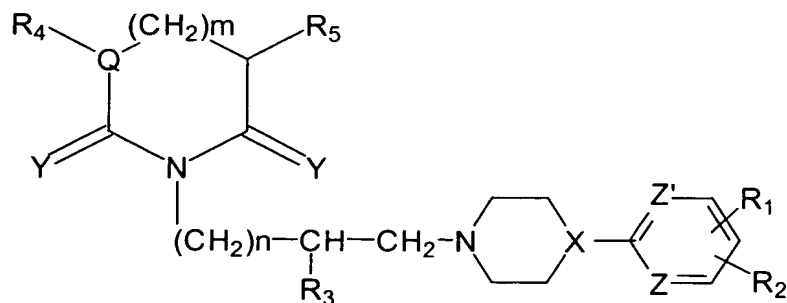
\_\_\_\_\_  
Jayadeep R. Deshmukh, Esq.  
Reg. No. 34,507

Date: June 12, 2002

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600 College Road East, Suite 2100  
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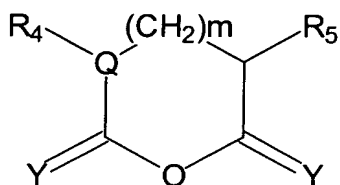
## Amended Claims 44 and 45 for 09/578,239 as of June 12, 2002

44. A method for making a compound having the structure of Formula I



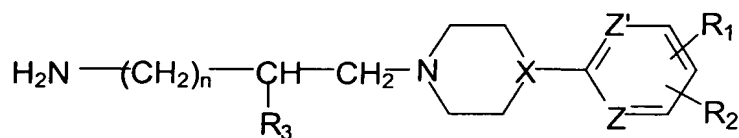
( I )

its pharmaceutically acceptable salts, enantiomers, diastereomers, or N-oxides, wherein Y is O or S; Q, Z and Z' are independently CH; X is CH or N; m=0-3; n=0-4; R<sub>1</sub>, R<sub>2</sub> are independently selected from: H, F, Cl, Br, OCH<sub>3</sub>, OC<sub>2</sub>H<sub>5</sub>, OCH<sub>2</sub>CF<sub>3</sub>, SCF<sub>3</sub>, CH<sub>3</sub>, C<sub>2</sub>H<sub>5</sub>, CF<sub>3</sub>, isopropoxy, and cyclopropyl; and R<sub>3</sub>, R<sub>4</sub> and R<sub>5</sub> are independently H, C<sub>1-3</sub> alkyl, substituted or unsubstituted phenyl, which comprises reacting a compound having the structure of Formula VI'



( VI' )

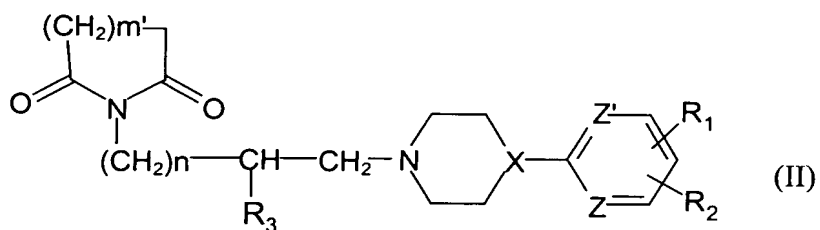
with a compound having the structure of Formula V in pyridine at reflux temperature followed by reflux in the presence of acetic anhydride



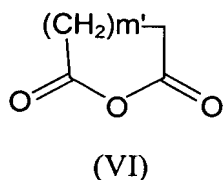
( V )

thereby to produce the compound of Formula I.

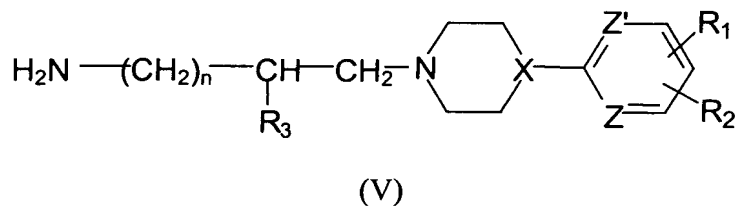
45. A method for making a compound having the structure of Formula II



its pharmaceutically acceptable salts, enantiomers, diastereomers, or N-oxides, wherein X is CH or N; Z and Z' are independently CH; n = 0-4; m' = 1-4; R<sub>1</sub>, R<sub>2</sub> are independently selected from: H, F, Cl, Br, OCH<sub>3</sub>, OC<sub>2</sub>H<sub>5</sub>, OCH<sub>2</sub>CF<sub>3</sub>, SCF<sub>3</sub>, CH<sub>3</sub>, isopropoxy, and cyclopropyl; and R<sub>3</sub> is independently H, C<sub>1-3</sub> alkyl, substituted or unsubstituted phenyl, which comprises reacting a compound having the structure of Formula VI



with a compound having the structure of Formula V in pyridine at reflux temperature followed by reflux in the presence of acetic anhydride



thereby to produce the compound of Formula II.